Assassination Records Review Board
600 E Street NW • 2nd Floor • Washington, DC 20530
(202) 724-0088 • Fax: (202) 724-0457

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF CIA INFORMATION IN THIS DOCUMENT

August 23, 1995

HAND DELIVERED

Copy provided to CIA by FBI

John A. Hartingh
Inspector-in-Charge
JFK Task Force
Federal Bureau of Investigation
10th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

RE: Foreign Government Liaison

Dear John:

This morning, Jack Tunheim, Phil Golrick, and I met with Kenneth Duncan and several State Department representatives regarding how best to implement the JFK Act as to information obtained from foreign governments through liaison channels. We had a very constructive discussion of the affirmative role the State Department could play in encouraging foreign governments, through appropriate diplomatic channels, to agree to the release of such information pursuant to the JFK Act. The Review Board believes that Section 10(b)(2) of the JFK Act contemplates that the State Department play precisely such a role.

As for now, we will hold in abeyance requests for evidence on foreign liaison postponements to which the FBI has not yet responded. This will give us the opportunity in the near future to work with the State Department and the FBI to establish orderly procedures to persuade the foreign governments in question that it is in our countries' mutual interests to release liaison information in assassination records. Until such procedures are in place, we request that the FBI not make further contact with foreign law-enforcement or other government officials regarding the release of liaison information in assassination records.

Please do not hesitate to contact me if you have any question.

Sincerely yours,

T. Jeremy Gunn
Associate Director for Research and Analysis
and Acting General Counsel

cc: Kenneth A. Duncan
Department of State

13-00000

13 February 1996

Note to: Bob Skwirot,
ARRB Staff

Subject: Liaison related documents

Reference: Phone call between Ellie and Jeremy,
12 February 1996

Attached are a list and documents (13) which show liaison relationships between the CIA and host services. They illustrate the problem of protecting liaison while releasing stations. These Documents were acted on by the Board at the January 5 meeting.

Attachments as stated

OFFICIAL USE ONLY WHEN SEPARATED FROM ATTACHMENTS

ATTACHMENT

104-10017-10040: Although the Board continues to protect the liaison cryptonym in both paragraphs, the text shows Station cooperation with the Swedish service.

104-10017-10058: Although the liaison cryptonym remains protected, Paragraph 4 indicates liaison with the Swedish service.

104-10018-10089: Board has made a determination to release "your liaison" in Paragraph 1 in addition to identifying Stockholm Station.

104-10018-10091: With release of Stations (Stockholm, Helsinki, Copenhagen, and Oslo), text reveals liaison with the respective local services.

104-10017-10036: Although the liaison cryptonym is protected, the context of the cable clearly shows Station (if released) has a liaison relationship with the Swedish service.

104-10015-10425: The text of this cable from Rome, responding to a multi-Station message, states that liaison traces will follow. Once the identification of the Station is released, the existence of a liaison relationship with the Italian service in November 1963 is revealed.

104-10015-10420: Cable from Oslo in clear text indicates "no liaison" traces; therefore, if the identification of the Station is released, it will acknowledge the liaison relationship between the Station and the Norwegian service.

104-10015-10159: Paragraph 4 contains information that will show that Oslo Station had a technical operation directed against the Cuban target in Norway in November 1963. Also context of the cable reflects that the following Stations have a relationship with their local liaisons: Paris, Rome, Madrid, Copenhagen, Oslo, Helsinki, Brussels, the Netherlands, London, and Ottawa.

CL BY 0563956
REASON 1.5(d)
DECL X5; X5
DRV LIA 3-87

104-10015-10225: Paragraph 2 of the cable reflects that Rome Station had a technical operation in conjunction with the Italian liaison. Please note: The Board continues to protect the cryptonyms.

104-10015-10230: Cable reflects that Station had the access to photograph US passports at the Amsterdam Schipol Airport. It can be implied that that capability is due to a liaison relationship with the Dutch service.

104-10015-10255: Cable reflects The Hague Station had a photo operation in the Netherlands. When reviewed with 104-10015-10230, it will be clear that the operation refers to the Schipol Airport operation.

104-10018-10088: Cable clearly shows that both Oslo and Stockholm Stations have a liaison relationship in their respective countries if the Stations are released.

104-10018-10080: At the bottom of Page 2 of the cable is the phrase "assume Stockholm still planned ask its liaison to interrogate." Release of Station and this phrase clearly reflects a liaison relationship with the Swedish service.

CL BY 0563956
REASON 1.5(d)
DECL X5; X5
DRV LIA 3-87

13-00000

From the Desk of Linda C. Cipriani

NOTE FOR: J. Barry Harrelson
FROM: Linda C. Cipriani
DATE: 04/29/96 04:26:36 PM
SUBJECT: Memo re Mexican Liaison (S)

CL BY 2224130
CL REASON 1.5(d)
DECL ON X1
DRV FM LIA 3-82

The following is a draft memo for Jeff. Bob Caudle is looking at it now so there may be more changes. Please let me know if there is anything incorrect here. I have a feeling Jeff will want a meeting with me rather than just the memo. Also, knowing him, he may want to deal with Tunheim on this directly since he was involved in this. I will let you know.

1. Action: That you advise as per paragraph 7.

2. Background: You will recall that you spoke with Chairman Tunheim of the JFK Board about the attached cable and the importance of protecting the phrase "with Mexicans" because it gives away liaison involvement in a tel-tap operation. At its 16 April meeting, at which I was present, the Board reconsidered its initial decision, but determined that the phrase could be released.

3. It had just come to HRG's attention that this same cable was released in full by the Board, with no objection by CIA, in September 1995. CIA probably did not contest this release because an excerpt from this cable, containing the phrase at issue, had been inadvertently released ~~even prior to that~~ to the National Archives in Aug 93. It is, therefore, no longer possible for CIA to argue before the Board for the protection of this phrase in the current cable or to appeal this release to the White House.

4. CIA is now in somewhat of an embarrassing position because it has strenuously argued that the release of this phrase would cause "clear and convincing damage" to the national security only to find that this phrase has been released with CIA acquiescence for at least seven months ~~with no ostensible damage~~. Conceivably, the Board could see this incident as a justification of their second-guessing our damage assessments, and could give us a much more difficult time in the future.

5. On the other hand, CIA could use this situation as a way to highlight the problems HRG has had with the JFK review process - that documents are being reviewed and released to the National Archives in such quantity and speed that it is difficult for CIA to focus on any one document and, more importantly, how seemingly innocuous information in one document can actually be quite significant in relation to prior or subsequent releases. Since September, when this cable was originally released, the issue of protecting Mexican liaison has become increasingly important because of other releases on this subject and because of your appearance before the Board in February.

6. Furthermore, this prior release should not impair our ability to continue to protect the fact of Mexican involvement in this tel-tap operation. Although we have argued to the Board along with other releases that this phrase "with Mexicans" gives that relationship away, the is specific cable does not ~~, in fact,~~ directly do so. In fact, the reason for the Board's insistence that this phrase should be released was ~~the very fact that the~~ cable did NOT directly state that the Mexican's were involved in the tel-tap. We should be able to use their arguments to continue to protect the liaison relationship.

7. Our only recourse is to acknowledge to the Board that CIA has no basis to bring an appeal to the President since this cable has already been released in full. We should, however, maintain our position that we believe this information is damaging especially in light of releases to National Archives ~~since September~~, and that we never would have acquiesced to the release in September if we knew then what would be released on this subject in the ensuing months. Although this message does not necessarily need to be conveyed by you to Tunheim and could be handled by John Pereira and David Marwell, given your past dealings with the Board on this issue, you may prefer to do this.

8. In order to avoid problems like this in the future, HRG is immediately dedicating several personnel to the task of reviewing boxes of documents and determining what our releases have been on ~~this~~ sensitive subjects. HRG will also be double checking identify documents going to the Board to ~~make sure that no~~ duplicates of prior releases ~~are being sent~~. You should be aware, however, that there is only a rudimentary CIA computer index listing our releases and that it is impossible to do ~~accurate~~ fool proof computer searches about our releases on specific subjects. Although HRG personnel are extremely knowledgeable on what has been released, with over 220,000 CIA documents currently in the collection, it is suprising that mistakes like this have not happened more often, and no absolute assurances it can't happen again.

CC:

15 October 1996

MEMORANDUM FOR: Assassination Records Review Board

FROM: John F. Pereira
Chief, Historical Review Group

SUBJECT: Foreign Government Information
Australia

(We request that this memorandum be returned to CIA once the Board has completed its deliberations on the issues discussed below.)

1. (S) Issue: This memorandum will address CIA's position on the review and declassification of foreign government information that appears in the JFK collection. This issue has come to CIA's attention because of the recent review by the JFK Board of Australian liaison documents. The Agency believes it is important to address this issue at this time because this is the first instance that this type of foreign liaison document has been reviewed by the Board and it is possible that such information will appear again in CIA's collection. This memo will, therefore, focus on the larger issue of a United States Government (USG) agency's legal obligations in the dissemination and declassification of foreign government information but will also address the specific issue of the six "Australian documents" (documents: 104-10012-10078, 104-10012-10079, 104-10012-10080, 104-10012-10081, 104-10009-10222, 104-10009-10224).

2. (S) Conclusion: CIA does not object to the release of the information in these six documents, but is only concerned about protecting foreign government information. Therefore, the Agency does not object to the release of the four CIA documents in the redacted form proposed by the Board. With regards to the two Australian letters, the Agency has no authority to unilaterally agree to their release in any form. Pursuant to its legal obligations, CIA ordinarily seeks the consent of the foreign government prior to declassifying their information. However, for reasons described herein, it is not possible to even seek the consent of the Australians at this time, nor would it be likely that the Australians would give it. Rather than going to the Australians against its better judgment or requesting the

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Australia

President to agree to the unilateral declassification of foreign government information, CIA proposes that the release of the Australian documents be either postponed for a short time or that a substitution be made.

3. (U) Legal Authorities: The procedures governing the declassification and dissemination of foreign government information are set out in Executive Order 12958, as well as Director of Central Intelligence Directives (DCIDs). Executive Order 12958 defines foreign government information as including (1) information provided by a foreign government, or any element thereof, with the expectation, expressed or implied, that the information and/or the source of the information, are to be held in confidence; or (2) information produced by the United States pursuant to or as a result of a joint arrangements with a foreign government, or any element thereof, requiring that the information, the arrangements, or both, are to be held in confidence. Id., at §1.1(d)

4. (U) Foreign government information is subject to a classification determination under E.O. 12958, section 1.5(c). When so classified, U.S. government agencies are obligated to protect that information from unauthorized disclosure. The E.O. requires that foreign government information shall either retain its original classification or be assigned a U.S. classification that shall ensure a degree of protection *at least* equivalent to that required by the entity that furnished the information. Id., at 1.7(e). Furthermore, agencies are required to safeguard foreign government information under standards that provide a degree of protection *at least* equivalent to that required by the originating government. Id., at 4.2(g).

5. (U) Pursuant to his authority as head of the intelligence community to protect all classified information from unauthorized disclosure, the Director of Central Intelligence has issued Directives (that is, DCIDs) setting out the procedures for the declassification and dissemination of foreign government information. Intelligence obtained from another government or from a combined effort with another government, may not be released or authorized for release without its consent. DCID 5/6 attachment § C.3. Furthermore, the release of intelligence that would be contrary to agreements between the U.S. and foreign countries is expressly prohibited. Id., at § C.5.

6. (U) Finally, the very fact of intelligence cooperation between the U.S. and specifically named foreign countries and government components is classified SECRET unless a different classification is *mutually* agreed upon. DCID 1/10-1. Such information may be declassified only with the *mutual* consent of the U.S. and the foreign government whose interests are involved. DCID 1/10-1.

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Australia

the U.S. and the foreign government whose interests are involved. DCID 1/10-1.

7. (U) National Security Considerations: The importance of such coordination with foreign governments *prior* to the release of their information cannot be overemphasized. Should CIA, or for that matter any (USG) agency fail to coordinate where required, not only would it be a violation of the aforementioned E.O. and directives, but it would chill relationships it has developed with foreign services over the years. If such lack of coordination became known, foreign services would hesitate to share crucial intelligence information with CIA if they believed it would be released, in spite of any agreements or U.S. laws to the contrary, without their consent. Furthermore, the U.S. could not expect foreign services to safeguard U.S. government information that it shares with its liaison partners in order to pursue authorized intelligence and foreign policy objectives.

8. (S) According to its legal obligations described herein, CIA coordinates the dissemination and/or release of foreign government information. Its obligation to do so is similar to its obligation to coordinate declassification efforts with another USG agency should the CIA possess any of that agency's documents. For example, CIA could not declassify and release to the public FBI information located in CIA files without coordinating with that agency. Similarly, CIA has no authority to unilaterally declassify foreign government documents or information in its files.

9. (S) Coordination with Australia: As two of the documents at issue here are letters from the Australian service (104-10009-10224, 104-10012-10080), CIA is legally obligated by E.O. and agreement with the Australians to seek the consent of the Australians prior to their release, even in redacted form. The issue of coordinating with the Australian service is a timely one. In most cases, CIA would not have an objection to going to the foreign government and seeking their consent for declassification. However, several events that have occurred in the last few months depict just how seriously Australia considers any indication that the U.S. is unable to protect from release their classified information. Based on the incidents described below, it is CIA's position that even asking the Australians for consent to release would threaten the current relationship.

- Within the last year, a demarche was made by the Australian government expressing strong concern that U.S. declassification legislation expressly spell out that no information provided to the USG by the Australian service be declassified without its permission. A copy of this demarche is provided for the Board's review. (See attached.) It is worth noting that this demarche is not between intelligence services but

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~~rather between governments -- it was literally delivered by~~ the Australian Ambassador to the National Security Council and to the U.S. Ambassador to Australia. The manner in which the Australians treated the demarche demonstrates that the protection of classified information is receiving top priority in the Australian government and is not just a concern of their intelligence community.

- On two recent but separate occasions the Australian service passed to CIA information indicating that there would be assassination attempts on two non-U.S. citizens. CIA requested that it pass this information on to the targets, but the Australians refused. They argued that the information was not specific enough and would endanger a source. The Australians stated that if they believed the information was useful, they would pass it themselves. The Australians were concerned that CIA had even asked to pass on this information, and questioned what they perceived as CIA's willingness to share their information with third parties. Finally, they stated that the easiest way to protect their information was simply not to pass it to CIA anymore.

- Just this month, a senior official of the Australian service approached the CIA with accusations that a former Agency employee allegedly may have disclosed their classified information. The Australians believe that this disclosure may be related to the loss of all agent reporting sources in a country of particular interest to them. The DDCI promised the head of the Australian service to launch an investigation into the matter.

- The Australian service recently expressed grave concern to CIA about a book published by an American USG official which alludes to a relationship between the CIA and the Australian service. Even though this book was not an official CIA acknowledgment of a liaison relationship, to the Australians, this incident called into question the CIA's ability to protect that relationship.

10. (S) Under the circumstances, it would be an affront to the Australians to be asked for their consent in light of the above events which have all occurred in the last year. The Australians would not only be extremely upset with CIA, but would certainly deny their consent. Should the Australians deny their consent, CIA would have no authority to agree to the release of the information and would be obligated to do all it could to prevent disclosure. ~~It is crucial not only to CIA's mission but~~

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~~also to the conduct of US foreign relations that the USG is seen~~ as abiding by its agreements with foreign services as well as its own laws on the release of information.

11. (S) Finally, the importance of maintaining good relations with the Australians cannot be overemphasized. As a result of our valuable relationship with our Australian liaison counterparts, the USG receives a large volume of finished intelligence. Due to our shrinking resources, much of this information would not be available to U.S. policy makers were it not provided by the Australians. Additionally, we work together with the Australians around the world on joint collection activities that cover the full spectrum of USG intelligence priorities. Finally, there are several critical collection efforts vital to the USG where we do not have the entrée to collect intelligence independently. In these cases, we rely entirely on the continued good will of the Australian services to provide us with the assistance necessary to meet U.S. policymakers' needs.

12. (S) In light of all the above, CIA submits the following two proposals for the Board's consideration. First, the Board could postpone these two documents from release for a short period (we propose 10 months) at which time CIA can reassess its relationship with the Australians. It is possible that the relationship with CIA and Australia could change so that it would be possible to seek their consent for release in full. However, should we seek the consent of the Australians at a future date and the Australians object to the release of the documents, we would ask that the Board seriously consider any negative reaction from the Australians in its deliberations and abide by their desires. A second option would be for CIA to coordinate with the JFK Staff a substitution or some sort of summary of the Australian documents for immediate release. This summary would hide the fact that the letter came from the Australian service, but would reveal what the subject of the letter was. This would avoid the problem of having to go the Australians to seek their consent, which we would have to do even in the case of redactions.

13. (U) Should the Board reject these proposals, CIA is willing to work with the Board to reach another mutually agreeable solution. We strongly believe, however, that any approach which suggests that the U.S. Government may ignore its obligations and commitments to foreign governments would seriously undermine the vigorous and healthy diplomatic as well as intelligence relationships that we currently enjoy.

14. (S) With regard to the remaining four documents (104-10012-10078, 104-10012-10079, 104-10012-10081, 104-10009-10222, ~~these are CIA documents and with the redactions proposed by the~~

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Australia

government. As such, CIA consents to the release of these documents with the redactions proposed by the Board.

15. (S) Proposal for Future Coordination: With regards to any other foreign government information that may exist in the files, CIA proposes that it approach its liaison services to request their consent in the release of their information when it would be appropriate to do so. Although recent events with Australia make it impossible for CIA to approach them at this time, this may not be so with other services. In cases were CIA believes, because of the nature of the relationship, that it would not be possible to request the consent of the service, CIA proposes that the documents either be postponed from release or that CIA and Board's staff coordinate a summary.

John F. Pereira

John F. Pereira

Attachment

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Attached is a copy of the Australian Demarche on U.S. legislation on declassification. This was given to the U.S. Ambassador to Australia, Ambassador Perkins, by Philip Flood, then Director of the Office of National Assessments (ONA), in September 1995. This demarche was also given to Sandy Berger at the National Security Council by Australian Ambassador to the United States Don Russell on 4 August 1995.

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AUSTRALIAN COMMENTS ON EXECUTIVE ORDER 12958 — CLASSIFIED NATIONAL SECURITY INFORMATION

- The Australian government wishes to register its concern over the 17 April Executive Order on Classified National Security Information and the apparent omission of any explicit provision to protect foreign-sourced information or documentation from automatic declassification once it is over 25 years old.

- The Australian government understands and supports the democratic principles and commitment to open government which underpin the Executive Order. We too are improving access to government information, but are maintaining provisions to protect foreign-sourced information — including U.S. information.

- We do not agree that these principles can be applied by one foreign government to the information or documentation of another government without prior consultation and clearance. Australian-sourced information was and continues to be passed to the U.S. government on the understanding that it will be protected. We adopt precisely the same approach to information that the U.S. shares with us.

- Omission of such consultation would, in the eyes of the Australian government, not be in keeping with the 1962 U.S.-Australia General Security of Information agreement or the many other bilateral and multilateral intelligence co- operation and information sharing agreements.

- The failure to protect sensitive Australian-sourced information about, for example, our intelligence operations, could have ramifications for our relations with regional countries and compromise intelligence sources and methods (upon which the U.S. depends in part).

- Australian concerns could be addressed if provision for clearance with originators of foreign-sourced material was embodied in the Information Security Oversight Office implementation directive to U.S. agencies.

  — such an approach should not impede or delay the declassification process — Australia is not seeking this. For example, categories of sensitivity for Australia could be identified. A reasonable time limit could be put on Australian response time after which the U.S. could be free to declassify (we have a similar arrangement with the U.K.).

13-00000

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Central Intelligence Agency

Washington, D.C. 20505

28 January 1997

Mr. David G. Marwell
Executive Director
Assassination Records
Review Board
600 E Street, NW
Washington, DC 20530

Dear David:

This is to acknowledge your letter of 3 January 1997 to the Director of Central Intelligence concerning the Assassination Records Review Board's recent formal determinations with respect to CIA Records.

The appropriate Agency components have again reviewed the documents that the Board has decided to release either totally or with some information postponed. While the Agency does not plan to appeal to the President for additional postponements at this time, we ask that the Board reconsider its decisions with respect to six documents. These documents contain information relating to foreign government provided data, foreign liaison relationships, and intelligence sources--information that we believe merits protection under current standards set by the Board. A list of these six documents, together with Agency comments concerning them, is enclosed.

We plan no further action on these documents pending discussion with your staff and review by the Board.

John F. Pereira
Chief, Historical Review Group

Enclosure

UNCLASSIFIED WHEN
SEPARATED FROM ENCLOSURE

ENCLOSURE

(We request that this enclosure be returned to CIA once the Review Board has completed its deliberations on the issues discussed below.)

(U) The Central Intelligence Agency requests that the Assassination Records Review Board reconsider its determination on the six documents listed below:

(U) 1. 104-10012-10080 and 104-10009-10224 (substitute--language for a foreign country document).

(S) The foreign government in question has expressed strong concern about USG and CIA's inability to keep secrets, and current relationships are very tense. If we are required to release the date and/or narrow the geographic choices too closely, the foreign government will be able to identify the document as theirs. Because this document is scheduled for another review in July 1997, we request that the ARRB reconsider the inclusion of the date of the document and designation of the country of origin as "Pacific Rim Country", and accept our originally submitted wording.

(U) 2. 104-10051-10106 (release of location)

(S) We request reconsideration of the release of the location identified in the last three words in the eleventh line, paragraph eight. This CIA base currently is undeclared to the host government.

(U) 3. 104-10055-10072 and 104-10054-10007 (foreign government activity/liaison).

(S) Regarding the release of the reference to the passport camera on page 3, it is not the USG's position to confirm that a foreign government undertakes such activity. In addition this is an on-going operation. Further, releasing the words in question would establish a strong inference that the two Agency officers were permitted by foreign officials to inspect the camera, thus

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DECL ON: X1
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tending to confirm the liaison relationship. We request that the last seven words of line four, paragraph "h", be replaced with substitute wording such as "the public security facilities".

(U) 4. 104-10004-10213 (source)

(S) We request that the ARRB reconsider releasing the word "agent" in this context (page 32); suggested substitute, "contact." Nielson was not a paid agent of the REDSKIN project and does not appear to have worked for the Agency in any other capacity. To describe him as a CIA agent could cause danger either to him or his family, especially if they are still in Russia.

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Assassination Records Review Board
600 E Street NW • 2nd Floor • Washington, DC 20530
(202) 724-0088 • Fax: (202) 724-0457

September 5, 1997

BY COURIER

Mr. John Pereira
Director
Historical Review Group
Center for the Study of Intelligence
Central Intelligence Agency
Washington, DC 20505

Re: Request to CIA to contact liaison channels regarding LIENVOY intercepts of Oswald telephone calls in Mexico City

Some time ago the Review Board requested informally that CIA contact its liaison channels in Mexico City for information related to Lee Harvey Oswald. During your recent visit here we discussed with you the feasibility of your making such contacts. I am writing in response to your request that we memorialize our request and provide some background information.

The Review Board believes that all reasonable steps should be taken to account for all telephonic intercepts of Oswald during his visit to Mexico City in September-October 1963. There is evidence that CIA intercepted some telephone calls through an operation named LIENVOY conducted jointly with components of the Mexican government. We believe that it would be appropriate for CIA to contact directly Mexico City liaison channels to inquire as to whether the Mexican authorities retained copies of LIENVOY telephonic take, specifically the actual recordings of Oswald's telephone calls to the Soviet Embassy during the period of September 27 through October 3, 1963.

The Review Board previously has sought information from the Mexican Government through appropriate diplomatic channels. For reasons that are obvious to those familiar with Mexico City issues, the Review Board could not raise with Mexican officials nor with the U.S. State Department the possible existence of additional tape recordings that might be in the hands of certain officials. Thus, at the behest of the Review Board, the Department of State requested that the Mexican federal government and local government agencies conduct general searches of their files for records related to the assassination of President Kennedy. The Mexican government responded

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by sending copies of the same documentation and correspondence that the GOM had made available to the Warren Commission in 1964.

The basis for our interest in your contacting appropriate Mexican officials is found in CIA document 104-10004-10199, which was reviewed by the Board on September 19, 1995. On page 5 of this document (not including the cover sheet) information that the Board agreed to protect, due to the sensitivity of sources and methods involved, suggests that the Mexican security forces may have had their own copy of the October 1 intercept on Lee Harvey Oswald. It is unclear whether this statement refers to the transcript or to an actual tape containing the phone call. Nevertheless, it provides enough evidence to warrant additional inquiries on this matter.

For your reference we are enclosing copies of the reference documents as well as copies of the correspondence between the DOS and the Mexican government.

We would appreciate your contacting appropriate officials to determine what reasonably can be known about this and related matters, and ask that you provide a response to this request by November 14, 1997. We are fully aware of the sensitivity of this type of request and do not wish to take any action that would compromise existing intelligence operations. If necessary, we would be pleased to discuss with you ways in which we might further elaborate on this request, including person-to-person discussions with appropriate officials either here or in Mexico.

Thank you for your continued assistance and cooperation.

Sincerely yours,

Jeremy Gunn for

T. Jeremy Gunn
General Counsel and Associate Director
for Research and Analysis

cc: J. Barry Harrelson, HRG

Enclosures

13-00000

CL BY: 611637
CL REASON: Section 1.5 C
DECL ON: X1
DRV FRM: COV 2-87

15 January 1998

MEMORANDUM FOR: John Pereira @ DCI
Fred Wickham @ DO
Lee Strickland @ DA

FROM: J. Barry Harrelson
JFK Project Officer

OFFICE: CSI/HRG

SUBJECT: ARRB 22 January Meeting -- Agenda

REFERENCE:

1. The following items are on the ARRB meeting agenda for 22 January 1998:

(S) A. **Reconsideration of the State Cover.** The ARRB staff has advised that briefings by senior CIA and/or State officials are not required. However, the Agency and State are welcome to make a presentation if it will add to the information being presented in the "evidence memorandum". The evidence memorandum must be at ARRB no later than Tuesday 20 January. Mr. Gunn has suggested we may want to have individuals standing by for questions. The current plan is for Lee Strickland and me to be available at 600 E. St. NW. to answer any questions.

(AIUO) B. **Office of Personnel Files in the Sequestered Collection** (Microfilm). The ARRB staff will recommend to the Board that personnel files be declared NBR (Not Believed Relevant) and their release postponed until 2017. The Agency position is that the privacy of each individual clearly outweighs the public interest, most of the information in these files has no relevance to the assassination story, and any related information exist elsewhere in the collection. At ARRB staff request HRP is preparing five OP files for review by Board members. The ARRB staff will prepare a memorandum for public release describing the files; their memo will be coordinated with the Agency prior to release.

(AIOU) C. **Non-related files/documents in the Sequestered Collection** (Microfilm). The ARRB staff will recommend that the files and documents (approximately 35,000 pages) designated non-related by CIA during the 1994 review of the microfilm be declared NBR and released in 2017. If the recommendation is accepted by the Board, the ARRB staff will prepare an unclassified description of the records for public release. This too will be coordinated with the Agency prior to release.

D. Other possible items:

(AIUO) i. ARRB Request # CIA 1 -- The ARRB staff may request that the DO documents at issue in this request be declared Assassination Records to be released in full or sanitized form.

(S) ii. Crypt LINLUCK -- ARRB staff did not find our evidence memo on this crypt persuasive. They are expected to recommend that the Board reaffirm its decision to release.

(AIUO) iii. 1967 IG report on "Castro Assassination Plots" -- ARRB has requested that an updated version be released to NARA by the end of January. Any disagreements between the Agency and ARRB staff may be added to the agenda. HRP and DO reviewers are currently re-reviewing the report.

(U) 2. If you have any questions about any of these items please call me.

CC: Eileen Wukitch @ DO
Becky Rant @ DA
Linda Cipriani @ DCI

Sent on 15 January 1998 at 05:24:34 PM